

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Charles McQueen,

Case No. 1:10 CV 2357

Petitioner,

O R D E R

-vs-

JUDGE JACK ZOUHARY

Terry Tibbals,

Respondent.

The Court has reviewed the Report and Recommendation (“R&R”) of the Magistrate Judge (Doc. No. 9). Under the relevant statute (28 U.S.C. § 636(b)(1)(C)):

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.

The failure to file written objections constitutes a waiver of a *de novo* determination by the district court of an issue covered in the R&R. *United States v. Sullivan*, 431 F.3d 976, 984 (6th Cir. 2005).

The Court has reviewed the R&R, finds it to be correct, and adopts it in its entirety. The Petition for Writ of Habeas Corpus (Doc. No. 1) is denied and the case is dismissed.

IT IS SO ORDERED

s/ Jack Zouhary
JACK ZOUHARY
U. S. DISTRICT JUDGE

December 6, 2011